

**MINUTES OF THE
EAST COVENTRY TOWNSHIP
BOARD OF SUPERVISORS
MEETING HELD NOVEMBER 9, 2020**
(Approved December 14, 2020)

The Board of Supervisors held its regular monthly meeting on Monday, November 9, 2020. The following Supervisors were in attendance for the meeting: Anthony Duffy, Ray Kolb, W. Atlee Rinehart, Karen Nocella, and Michael Albert Moyer. Also, in attendance were David G. Kraynik, Township Manager, Mark Hosterman, Township Solicitor and Brady Flaharty, Township Engineer.

Mr. Anthony Duffy called the meeting to order at 7:03 p.m. The pledge of allegiance was recited.

Mr. Hosterman stated an executive session was held at 6:00 pm to discuss a number of personnel matters, two potential acquisitions of real estate, review of confidential legal opinion, and an update on an enforcement action.

1. ORDINANCES

Ordinance 2020-247 – Miscellaneous Amendments to Driveway, Subdivision and Land Development and Zoning Ordinances

Mr. Hosterman stated the Board of Supervisors will hold a public hearing and reviewed the proposed Ordinance Amending the Code of Ordinances of the Township of East Coventry, Chester County, Pennsylvania, to Amend Chapter 21 (Streets and Sidewalks), Part 1 (Driveways), Section 21-106 (Standards for Driveways), Subsection 7 (Dimensional Requirements), Paragraphs A and D to Clarify Dimensional Requirements for Driveways on Lots with Attached Dwelling Units and Attached Garages; to Amend Subsection 16 (Turnaround Requirements), to Require a Turnaround Area for All Lots Abutting Roads Not Classified Local or Private; to Amend Chapter 22 (Subdivision and Land Development), Part 2 (Definitions), Section 22-202 (Definitions), to Update the Definition of “Comprehensive Plan”; to Amend Part 3 (Plan Processing and Content), Section 22-301 (Plan Classification and Public Notification), Subsection 3, Paragraph A (Minor Subdivision Plan), Subparagraph (1), Clause (a), to Allow Minor Subdivision Classification Notwithstanding Dedication of Sewer Laterals; to Amend Section 22-418 (Sidewalks), Subsection 1, to Eliminate the 10-lot minimum and require all Major Subdivisions and Land Developments Provide Sidewalks; to Amend Section 22-428 (Landscaping, Screening and Buffering), Subsection 1, to Clarify that Landscaping is Required for Land Developments; to Amend Chapter 27 (Zoning), Part 2 (Definitions), Section 27-202 (Definitions), to Update the Definitions for “Comprehensive Plan” and “Garage”; to Amend Part 13 (General and Supplemental Regulations and Design Standards), Section 27-1319 (Accessory Uses and Accessory Buildings), Subsection 1, Paragraph B (Uses Accessory to Dwellings), Subparagraph (3), to Clarify Garage Requirements, to Amend Paragraph D (Sheds, Leans-To, Storage Buildings Accessory to All Residential Dwellings) to Permit Sheds to the Rear of the Principal Structure on a Corner Lot, and to Amend Paragraph E (Uses Accessory to Commercial Activities) to Restrict Sheds, Leans-To and Storage Buildings to the Rear Yard of the Principal Structure; and to Amend Part 20 (Wireless Communications Facilities), Section 27-2004 (Requirements for Tower-Based Wireless Communications Facilities Located Outside the Right-of-Way), Subsection 1, Paragraph E (Development Regulations), Subparagraph (7), to Update the Applicable ANSI Standards.

Mr. Kolb made a motion to adopt Ordinance 2020-247 Miscellaneous Amendments to Driveway, Subdivision and Land Development and Zoning Ordinances. Mr. Moyer seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

2. SOLICITOR'S REPORT

Mr. Hosterman stated he would like to discuss the Possible Amendment to Section 27-702.3.B of the Zoning Ordinance, as requested by the Owen J. Roberts School District, Pertaining to an Educational Services Center and Storage at the Old East Coventry Elementary School. Mike Shelgren, Facilities Director at Owen J. Roberts School District, was present to discuss what the School District would like to do with part of the Old East Coventry Elementary School as far as using a portion of it for the Facilities Department. Right now, they are leasing a building in East Vincent Township and by using part of the Old East Coventry Elementary School they would eliminate that expense. Mr. Kolb asked if they would tie into the public sewer and Mr. Shelgren responded "yes". The cost would be on the district. Roger Kolb, Ridge Fire Company, asked if they would upgrade sprinklers and Mr. Shelgren stated they are looking into it and he assumes it will need to be done. Mr. Shelgren also stated they have well water at that building and would need to tie into the public water system. A discussion ensued. Mr. Hosterman discussed the text amendment to the Zoning Ordinance requested.

Mr. Rinehart made a motion for the Solicitor, Mr. Hosterman, to prepare an Ordinance pertaining to the text amendment requested by Owen J. Roberts School District. Mr. Moyer seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

3. MINUTES

October 12, 2020, Meeting Minutes

Mr. Kolb made a motion to accept the October 12, 2020 meeting minutes. Mr. Duffy seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

4. PUBLIC COMMENT

Missy King, 10 Eleanor Drive, stated the Township has received a letter from the Spring City Library requesting a donation of \$16,590. Mrs. King is requesting the Township at least double the amount they gave last year from \$3,500 to \$7,000. She is also requesting they consider making the donation earlier in the year, such as the end of the summer, instead of in December which is normally when the donation is made. Mrs. King stated there are around 3,300 residents of East Coventry Township who use the Spring City Library. A lengthy discussion ensued.

Mr. Rinehart made a motion to increase the donation by 10% which would make it a total donation of \$3,850, revisit it next year and have the check sent out to them the middle of the year. Mr. Moyer seconded the motion. Mr. Duffy called for a vote and the motion carried 2-3-0 which did not pass.

Mr. Kolb made a motion to increase the donation to the Spring City Library to \$5,000 for 2021. Mrs. Nocella seconded the motion. Mr. Rinehart stated he would like to address this next year because there could be a reduction. Mr. Duffy called for a vote and the motion carried 4-1-0 with Michael Moyer voting no.

George Colette, 80 Country Lane, asked if the Old East Coventry Elementary School is still supposed to be a Community Center. Mr. Duffy stated the idea hasn't changed but that some of the building will now be used for the Facilities Department.

Mrs. Nocella stated she received three (3) bids to do some trail maintenance. The lowest bid is by Brewer Landscaping & Tree Services for \$19,800.00. Mrs. Nocella made a motion to accept the bid by Brewer Landscaping for \$19,800.00. Mr. Moyer seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Mrs. Nocella stated in regards to the Wayfinding Project, they need some additional signs. Four (4) signs that state "Hike/Bike/Horse Crossing" are \$48/each and four (4) signs that say "Slow Down" are \$20/each for a total of \$272.00 from H.A. Weigand. Mr. Kraynik stated it would come out of the Open

Space Fund. Mr. Moyer made a motion to approve the purchase of the signs. Mr. Kolb seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Mr. Moyer stated the memo from Jill Barbera, Financial Accountant pertaining to the sewer usage fee is concerning to him. He stated that the memo states they should consider raising the sewer usage fee by \$10 a quarter, from \$175 to \$185. He also said that it states there is a substantial amount of sewer fees outstanding and there are 13 properties who make up \$35,770 of the \$62,600 that is outstanding. These are homeowners that have never paid or are consistently behind in their payments. Mr. Kraynik stated that the sewer usage fee has not been raised for 10 years. Mr. Kraynik also stated that Ms. Barbera has been in contact and works with residents who request a payment plan. Since some of the properties that have been consistently behind or have never paid their sewer usage fees are properties that have well water, shutting their water off to get them to pay is not an option. Liens have been placed against all properties. Mr. Kraynik also stated that besides not raising the fee in 10 years, expenditures have continued to rise. Mr. Hosterman stated the outstanding fees that have a lien do trickle in from time to time. A discussion ensued. Mr. Hosterman stated the Board can approve raising the sewer usage fee tonight and he will do a Resolution to ratify it for the December meeting.

Mr. Kolb made a motion to approve the \$10 per quarter increase in sewer usage fees for 2021. Mrs. Nocella seconded the motion. Mr. Duffy called for a vote and the motion carried 4-1-0 with Mr. Moyer voting no.

5. REPORTS

Township Manager's Reports

Consideration of Approval to Authorize Advertisement of the Draft 2021 Township Budget for Approval at the December 14, 2020 Meeting of the Board of Supervisors.

Mr. Kraynik stated any changes made such as the donation to the library and the \$10 increase in sewer usage fees for 2021 will be reflected in the budget they will adopt next month. Mr. Kolb made a motion to authorize advertising the draft 2021 Township Budget. Mr. Moyer seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Consideration of Approval to Authorize Advertisement of the Appointment of Herbein & Company, Inc. as the Township Auditors for the Fiscal Year Ending December 31, 2020.

Mr. Moyer made a motion to authorize advertising the appointment of Herbein & Company as the Township Auditors for the Fiscal Year Ending December 31, 2020. Mr. Rinehart seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Consideration of Renewing an Energy Renewal Agreement through the Pennsylvania Municipal Utility Alliance.

Mr. Kraynik stated about 250 local governments in the state are involved with PMUA. The current agreement is ending. Mr. Kraynik also stated he received rates this morning that are lower than what we were given last week. Mr. Moyer made a motion to approve renewing the Energy Renewal Agreement through the Pennsylvania Municipal Utility Alliance for five years. Mr. Rinehart seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Consideration of Approval for the Advertisement of Bids to Farm the Maack Property.

Mr. Kraynik stated they are looking for approval to advertise bidding to farm the Maack Property. This is a five (5) year arrangement. The big change would be the farming of hay instead of corn, beans, etc. This is to help with water runoff issues. Mr. Moyer said the Agricultural Security Area Committee met last week to discuss this issue and asked for their input. Arthur Kulp who is on that committee said that right now the current farmer is doing monocropping which is, in his opinion, contributing to the water run-off issue. He feels they should do contour cropping and rotation so they don't have to do hay only. He feels farming the land this way will help solve the problems. Roger Kolb stated his concern

is that no one will bid if it's hay only. Maybe limit it to 50% of the property for farming hay. He also stated it's a big expense to do only hay. A discussion ensued.

Larry Tietjen, 131 Maack Road, stated he has lived there for 15 years and the water run off issue has been happening the entire time. He said this issue has cost him a lot of money and feels it should be addressed. Steve Ussler, 938 Schoolhouse Road, stated the Township was supposed to put a terrace in which was in the Conservation Plan for the Maack Property.

Mr. Moyer made a motion to table advertising for bids until the Conservation Plan for the Maack Property can be located and Mr. Hosterman can review. Mr. Duffy seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Consideration of Approval of the Annual Cub Scouts, Pack 4, Wreaths Across America Ceremony on Saturday, December 19, 2020 from 11:30 am to 12:30 pm at Ellis Woods Revolutionary War Cemetery. Mr. Kolb made a motion to approve the Wreaths Across America Ceremony on December 19, 2020. Mr. Moyer seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Township Engineer's Report

Mr. Flaharty stated he has nothing to report at this time.

Mr. Duffy made a motion to accept the Engineer's Report. Mr. Rinehart seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Mr. Rinehart talked about the Parkerford 537 Plan and Mr. Flaharty stated they are waiting to be able to have a public meeting that would allow a large number of people. Mr. Kraynik stated they are adhering to Governor Wolf's regulations for COVID and at this time cannot have a large group of people in a room for a meeting.

Mr. Moyer made a motion to accept the various departments and committee reports. Mr. Kolb seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

6. SUBDIVISIONS AND LAND DEVELOPMENT

There were no Subdivision and Land Development applications brought before the board.

7. ZONING HEARING BOARD APPLICATIONS

Application No. 277 – 6 Lubold Road, Pottstown, PA 19465 - Ryan and Jennifer Gayle

Application for a variance to install an inground fiberglass pool 45' x 16' with stone patio around pool and storage shed not to exceed 400 square feet in the front or side yard. The rear of the property situate at 6 Lubold Road abuts Ellis Woods Road and therefore, under the Zoning Ordinances is considered to be a front yard, therefore as they do not have a rear yard, they cannot install a pool and storage shed without a variance.

Mr. Hosterman stated with the approval of Ordinance 2020-247, a variance is not required for the shed, but it is required for the pool. Mrs. Nocella feels they should be able to install the pool without a variance.

Mr. Kolb made a motion to take no action and let it go to the Zoning Hearing Board. Mr. Rinehart seconded the motion. Mr. Duffy called for a vote and the motion carried 4-1-0 with Mrs. Nocella stating no.

Application No. 276 – 125 Buckwalter Road, Pottstown, PA 19465 – Zimrick Group LLC

Application for a variance from the terms of the Zoning Ordinance to build a house on the property although it does not meet the minimum net lot area, minimum lot width and minimum side yard setbacks. **APPROVED BY ZHB 10/26/2020**

Mr. Hosterman stated this was for information purposes that the Zoning Hearing Board has approved Application No. 276 for 125 Buckwalter Road.

8. OTHER BUSINESS

Announcement that PARRC Now Exists as an Intergovernmental Cooperative Agency and Confirmation of PARRC Board Representative and Alternate. Gail Brown, 500 Sanatoga Road, asked what PARRC stands for and Mrs. Nocella stated it is Pottstown Area Regional Recreation Committee. Mrs. Nocella stated she is the representative and Liz Willow is the alternate. They meet once a month and it consists of seven (7) different Townships. It is a 5-year agreement and the cost goes up a little every year. It was asked if the Towpath Master Plan is for a regional park. Mrs. Nocella stated yes this will be a regional park but at this point nothing has been determined, this is a concept plan. This project could be a huge endeavor and would be done in phases. PARRC is going to be helping the Township obtain grants for this project. A discussion ensued.

Review of the Eagle Scout Project List – Mrs. Nocella stated they are trying to determine if they should do one sign and have spots to keep adding names or individual signs. Mr. Kolb stated he would prefer a central sign on the kiosk here at the Township Building. Liz Willow stated this may take a while to finish compiling the list of projects. Mr. Kolb stated they should stick to the projects that were done specifically for East Coventry Township.

9. EXONERATIONS

Mr. Rinehart stated Constance Megay's name needs to be corrected on the list. Mr. Moyer made a motion to accept the exonerations with the change noted. Mr. Rinehart seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

10. PAYMENT OF BILLS

Mr. Duffy made a motion to approve the payment of bills as presented.

<u>Fund Name</u>		<u>Amount to Pay</u>
General Fund	\$	377,754.02
Benefit Escrow		-
Open Space		80,931.19
Sewer Operating Fund		18,045.65
Sewer Capital Fund		-
Traffic Impact Fee Fund		8,028.38
Capital Reserve		-
Highway State Aid Fund		9,987.06
TD Escrow		31,112.56
Totals	\$	<u>525,858.86</u>

Mr. Rinehart seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

11. ADJOURNMENT

Mr. Kolb made a motion to adjourn the monthly meeting at 8:34 pm. Mrs. Nocella seconded the motion. Mr. Duffy called for the vote and the motion carried 5-0-0.

Respectfully submitted,

David G. Kraynik
Township Manager